

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3876
of US LEC Communications, Inc.,)
Fairport, New York, seeking)
approval to relinquish their)
certificate of authority to) GRANTED
furnish interlata interexchange)
services in the State of Nebraska)
and cancel their tariff.) Entered: December 11, 2007

BY THE COMMISSION:

By application filed October 30, 2007, US LEC Communications, Inc. ("US LEC"), Fairport, New York, is seeking authority to withdrawal its certificate of authority to provide interexchange telecommunications services in the State of Nebraska, previously approved in Docket C-3223 and cancellation of its tariff. Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 2, 2007. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

On August 24, 2004, US LEC was granted authority to operate as an interexchange telecommunications carrier within the State of Nebraska pursuant to Docket C-3223.

By application received on October 30, 2007, US LEC requested the withdrawal of its authority to operate as an interexchange carrier of telecommunications services in the State of Nebraska. US LEC no longer provides services to customers in Nebraska and has ceased operations in Nebraska. US LEC has no plans to provide telecommunications service in Nebraska in the future. Further, US LEC requests that its Tariff No. 1 currently on file with the Commission be cancelled.

Upon consideration of the request and being fully advised, the Commission finds the request to be reasonable and finds that US LEC's authority to operate as an interexchange carrier of telecommunications services in the State of Nebraska should be withdrawn and its tariff on file with the Commission cancelled.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3876 be, and it is hereby, granted and the Certificate of Public Convenience and Necessity to provide interexchange telecommunications services previously granted to US LEC Communications, Inc., is withdrawn.

IT IF FURTHER ORDERED that US LEC Communications, Inc.'s Tariff No. 1 on file with the Commission be, and is hereby, cancelled.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of December, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

//s// Frank E. Landis

Vice Chairman

ATTEST:

Executive Director